Draft rules adopted by the commission are subject to change prior to being submitted to the board of trustees for public comment authorization.

Rule 1.8.2 Use of Current Client's Information (Commission's Proposed New Rule Adopted on August 14, 2015 – Clean Version)

A lawyer shall not use a client's information protected by Business and Professions Code § 6068(e)(1) to the disadvantage of the client unless the client gives informed consent, except as permitted by these Rules or the State Bar Act.

Comment

A lawyer violates the duty of loyalty by using information protected by Business and Professions Code § 6068(e)(1) to the disadvantage of a current client.